

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert M. Landis

Examiner:

Not Yet Assigned

Serial No.:

10/618,799

Group Art Unit:

Not Yet Assigned

Filed:

July 14, 2003

Dated:

October 15, 2003

Title:

DYNAMIC INFANT NASAL CPAP SYSTEM AND METHOD

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art.

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 15, 2003.

Dated: October 15, 2003

Francesco Sardone

The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- [] This information disclosure statement is being filed within three (3) months of the filing date of this application.
- [] This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- [X] To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- [] Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- [] Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. §1.17(i)(i) are required for the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No. 50-2140 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

Francesco Sardone Reg. No. 47,918

Attorney for Applicant(s)

CARTER, DELUCA, FARRELL & SCHMIDT, LLP 445 Broad Hollow Road, Suite 225 Melville, New York 11747 Tel (631) 501-5700 Fax (631) 501-3526

/3	Eorm PTO	-1449
6`	and and	00.37E
ة' و	, 1 °	A DE
ONTEN	ZR TRADE	M

## U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 991-8

SERIAL NO. 10/618,799

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANTS Robert M. Landis

FILING DATE July 14, 2003

GROUP ART UNIT

	,		U.S. P	PATEN	T DOCUMENTS					
EXAMINER INITIAL		DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILINC	DATE OPRIATE	
		4,018,221	4/19/1977	Renr	nie					
		4,156,426	5/29/1979	Gold	1				_	
		4,249,527	2/10/1981	Ko e	et al.					
		4,261,355	4/14/1981	Glaz	ener					
		4,278,082	7/14/1981	Blac	kmer					
		4,774,946	10/4/1988	Acke	erman, et al.					
FOREIGN PA	TENT DOC	CUMENTS	·				,	<del>,</del>		
		DOCUMENT	DATE		COUNTRY	CLASS	SUBCLASS	TRANSLATION		
		NUMBER						YES	NO	
				_		<u> </u>				
			*							
							-			
OTHER PRIO	R ART (Inc	cluding Author, Title, Date	, Pertinent Pages, Etc	c.)						
	-							<del></del>		
	Į									
EXAMINER			DATE CONSIDERED							
* EXAMINER	t: Initial if	reference considered, whe	ther or not citation is	in con	formance with MPEP 609.	Draw line throug	zh			

citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

					_							
	C1083	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE					8,799					
OF 20	INE	) PRMA	ORMATION DISCLOSURE			APPLICANTS Robert M. Landis						
STETEMENT BY APPLICANT  (Use several sheets if necessary)				FILING DATE July 14, 2003		GR	OUP ART UNIT	-				
					\TE	NT DOCUMENTS						
EXAMINER INITIAL			DOCUMENT NUMBER	DATE		NAME	CLASS		SUBCLASS	FILING DATE IF APPROPRIATE		
		4,782	2,832	11/8/1988	Tri	mble et al.					<u> </u>	
		4,82	1,709	4/18/1989	Jen	sen						
		4,82	1,736	4/18/1989	Wa	itson						
		4,919	9,128	4/24/1990	Ko	pala et al.						
		4,944	4,310	7/31/1990	Sul	livan						
		5,040	0,532	8/20/1991	Alí	`ery						
FOREIGN PA	TENT DO	СИМЕ	ENTS									
			DOCUMENT	DATE		COUNTRY CLASS		SS SUBCLASS	TRANS	LATION		
-		NUM	1BER							YES	NO	
•												
•												
										<u>.</u>		
							-					
			· · · · · · · · · · · · · · · · · · ·									
OTHER PRIC	OR ART (Ir	cludin	g Author, Title, Date	, Pertinent Pages, Etc.	)							
				<u></u>								
								<u>-</u>			<del> </del>	
						Market Control of the					·	
										_		
EXAMINER						DATE CONSIDERED						
						onformance with MPEP 609. D with next communication to app		ıroug	<sub>l</sub> h			

Form PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			ATTY. DOCKET NO. 991-8 SERIAL NO. 10/618,799								
MISORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use everal sheets if necessary)				APPLICANTS Robert M. Landis							
(Use geveral sheets if necessary)					FILING DATE July 14, 2003		GR	OUP ART UNIT			
CATENT		<del>&gt;</del>			TE	NT DOCUMENTS					
EXAMINER INITIAL			DOCUMENT NUMBER	DATE		NAME	CLAS	s	SUBCLASS	FILING DATE	
		5,04	2,478	8/27/1991	Ko	pala et al.					
		5,11	7,819	6/2/1992	Ser	vidio et al.					
		5,18	8,101	2/23/1993	Tu	molo					<del></del>
		5,19	3,532	3/16/1993	Мс	oa et al.					
		5,22	0,699	6/22/1993	Far	ris					
		5,24	3,971	9/14/1993	Sul	livan et al.					<del> </del>
FOREIGN PA	TENT DO	СИМЕ	ENTS	T						I	
		DOCUMENT DATE NUMBER		COUNTRY CLASS		s	SUBCLASS	TRANS	LATION		
		NON	IDEK				·			YES	NO
,										_	
•											
***		-									
		•									
OTHER PRIC	DP APT (In	cludin	a Author Title Date	e, Pertinent Pages, Etc.)	·						
			[	,, r ortinoni i agos, zioi,							
-											
									••		•**
											,
EXAMINER	<u> </u>					DATE CONSIDERED					<u></u>
						onformance with MPEP 609. Dr with next communication to app		rougl	n		<del></del>

Form PTO-1449	Form PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE								
OIP TO ME	OFFORMATION DISCLOSE TATEMENT BY APPLICATION	APPLICANTS Robert M. Landis							
	Use several sheets if necess	FILING DATE July 14, 20	003	GROUP ART UNI	Т				
E THAT HAD		U.S. PA	TENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLAS	SS SUBCLASS	FILING DATE IF APPROPRIATE			
	5,269,296	12/14/1993	Landis						
	5,271,391	12/21/1993	Graves						
	5,361,416	11/8/1994	Petrie et al.						
	5,477,852	12/26/1995	Landis et al.						
	5,687,715	11/18/1997	Landis et al.						
	5,687,743	11/18/1997	Goodwin						
FOREIGN PATENT	DOCUMENTS		· <b>,</b> .			1			
	DOCUMENT DATE NUMBER		COUNTRY	COUNTRY CLASS		TRANSLATION			
•						YES	NO		
•							-		
• ,						1			
OTHER PRIOR AR	T (Including Author, Title, D	ate, Pertinent Pages, Etc.)		<u> </u>			•		
			***************************************						
						<del> </del>			
EXAMINER			DATE CONSIDERED						
	itial if reference considered, w		1 conformance with MPEP 609.		hrough				

Form PTO 1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
6,	TATENT AND TRADEMARK OFFICE
UCI 20 Mes	INFORMATION DISCLOSURE
<b>Ve.</b>	STATEMENT BY APPLICANT

ATTY. DOCKET NO. 991-8

SERIAL NO. 10/618,799

APPLICANTS Robert M. Landis

O THO	STATEMENT BY APPLICATION (Use several sheets if necess	<del></del>		FILING DATE July 14, 2003 GROUP ART UNIT				
		U.S	. PATEN	IT DOCUMENTS		<u> </u>		
EXAMINER NITIAL	DOCUMENT NUMBER	DATE		NAME C		SUBCLASS	FILING DATE IF APPROPRIA	
	5,724,965	3/10/1998	Han	dke et al.		-		
	5,975,077	11/2/1999	Hof	stetter et al.				
	6,119,693	09/19/2000	Kwo	ok et al.				
	6,119,694	9/19/2000	Соп	rea et al.				
	6,192,886	2/27/2001	Rud	olph				
	6,418,929	7/16/2002	Nor	fleet				
OREIGN PATEN	C DOCUMENTS							
	DOCUMENT	DATE		COUNTRY	CLASS	SUBCLASS	TRANSLATIO	
	NUMBER						YES	NO
							ļ	
							-	
		-		· · · · · · · · · · · · · · · · · · ·				
							<u> </u>	
								<u> </u>
THER PRIOR AF	T (Including Author, Title, D	ate, Pertinent Pages, I	Etc.)					
							<u>.</u>	
XAMINER	<u> </u>		.**-	DATE CONSIDERED				

Form PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE										
IP F VOTOS	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANTS Robert M. Landis							
001 5 0 1000 Jan	(Use several sheets if necessary)	FILING DATE July 14, 20	003	GROUP ART UNI	Γ					
TRADEMAN		U.S. PA	TENT DOCUMENTS							
EXAMINE R INITIAL	DOCUMENT NUMBER	DATE	NAME	CLAS	SS SUBCLASS		G DATE OPRIATE			
	6,422,238	7/23/2002	Lithgow							
	6,427,694	8/6/2002	Hecker et al.							
	6,431,172	8/13/2002	Bordewick							
	6,439,230	8/27/2002	Gunaratnam et al.							
	6,439,234	8/27/2002	Curti et al.		70					
	6,470,886	10/29/2002	Jestrabek-Hart							
FOREIGN PATENT	DOCUMENTS	<u> </u>			<del>  </del>	ή				
	DOCUMENT NUMBER	DATE	COUNTRY	CLAS	SS SUBCLASS	TRANSLATION				
	NOWIBER					YES	NO			
•										
		-								
OTHER PRIOR AR	T (Including Author, Title, Da	ite, Pertinent Pages, Etc.)								
				·-						
		- · · · · · · · · · · · · · · · · · · ·								
		10.7			····	<u>.</u>				
EXAMINER			DATE CONSIDERE	D						
* EXAMINER: In	itial if reference considered, w	thether or not citation is i	n conformance with MPEP 609.	Draw line t	hrough					